

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

In Re:

STEVEN JOSEPH AILER
REGINA HOPE VINES

Chapter 13

Case No: **11-50140**

Debtor(s)

TRUSTEE'S CERTIFICATION THAT CASE SHOULD BE DISMISSED

Comes now Herbert L. Beskin, Chapter 13 Trustee herein, by his Staff Attorney, Angela M. Scolforo, who reports that this case should be dismissed for the following reasons:

- X 1. The debtor(s) have failed to pay Plan payments to the Chapter 13 Trustee as directed by Order of this Court: The continuation order entered on 1/23/13 required, in paragraph 3, that the debtors be current in plan payments by 4/11/13. The debtor has made only 5 of the 9 monthly payments due under the terms of the confirmed plan since the confirmation order was entered in July 2012. The default under the terms of the confirmed plan is \$1,153.73, in addition to the debtors' failure to make the lump sum payment of \$18,900 from the sale of real estate by 4/11/13 as required by the confirmed plan. Debtors filed an amended plan on 4/11/13 with a similar monthly payment provision. The debtors are in default under the terms of the new plan filed on 4/11/13 in the amount of \$1,426.
2. The debtor(s) has/have failed to provide documentation to the Chapter 13 Trustee within the time directed by Order of this Court.
3. The debtor(s) has/have failed to file a plan or amended plan within the time directed by Order of this Court.

WHEREFORE, your Trustee requests that this case be dismissed pursuant to the terms of this Court's prior Order.

Dated: April 11, 2013

Respectfully submitted,
Herbert L. Beskin, Chapter 13 Trustee

/S/ ANGELA M. SCOLFORO

Angela M. Scolforo, Staff Attorney #42574
Office of the Chapter 13 Trustee
P O Box 2103
Charlottesville, VA 22902

CERTIFICATION OF SERVICE

I certify that I served a copy of the foregoing on the 12th day of April, 2013, upon counsel for the Debtors by electronic mail.

/S/ ANGELA M. SCOLFORO
Angela M. Scolforo, Staff Attorney